Tenth Annual Report

March 31, 1982

The Legal Aid Services Society of Manitoba

The Legal Aid Services Society of Manitoba

Annual Report

1982

TENTH ANNUAL REPORT

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Fiscal Year Ending March 31, 1982

The Honourable Roland Penner, Q.C.
Attorney-General
Province of Manitoba
Room 104 — Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Sir:

Pursuant to Section 24 of the Legal Aid Services Society of Manitoba Act, I am pleased to submit the Tenth Annual Report of the Society for the year ending March 31, 1982.

Detailed statistical information relating to clients, cases and costs is appended as Appendix A.

The report of the Provincial Auditor is attached as Appendix B.

Respectfully submitted,

Norman Larsen

Norman Larsen
Chairperson
Board of Directors

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General Observations

Legal Aid Manitoba has completed almost ten full years of service to low-income people of the Province, during which time some 387,000 people have been assisted in one form or another, whether through formal legal representation or through advice and assistance. In the fiscal year ending March 31, 1982, some 43,600 in the Province were assisted. The general economic slump in the country and record high unemployment which certainly has affected the Province has resulted in severe demands being placed on the services of the Society to provide more assistance than ever before. In the year just ended, there were 17,502 formal applications for legal aid, the highest number ever. This represents an increase of over 8% from the previous year. The number of legal aid certificates issued also reached a record high of 13,530 which represented an increase of 6% over the previous year. Of the 13,530 certificates issued, 7,825 were criminal certificates or 57.8% of the total. This compares to 55.7% of all certificates issued in the year ending March 31, 1981.

The number of certificates issued to the private bar was 10,661 or 78.8% of the total number of certificates issued. This represented the highest percentage ratio since the inception of Legal Aid.

There was also a significant increase in the number of people assisted through duty counselling services from 14,989 to 16,185, an increase of 8%. The number of people who received informal advice decreased slightly from 15,255 to 14,925.

Budget

In the fiscal year ended March 31, 1982, the Society's budget exceeded $5,000,000. Of the $5,200,000 disbursed in the year, some $2,847,000 (55%) was disbursed to the private bar for legal aid certificates and duty counselling services. The cost of maintaining the Society's Community Law Centres was $1,654,000 or 31.5% of the total. Administrative costs accounted for the remaining 13.5% of the total monies disbursed.

Although holdbacks on private bar accounts were eliminated on all certificates issued after April 1, 1980, the Society continued to holdback monies for payment on certificates that were issued in the period between April 1, 1978 and March 31, 1980. The amount of monies held back, $26,751, was significantly less than the $159,000 withheld for the year ended March 31, 1981. The Society continued to collect the $35 user fee with over $100,000 of revenue which was generated through this fee.

The cost-sharing agreement between the Province of Manitoba and the Federal Government for criminal legal aid expenditures expired as of March 31, 1981, but was extended for a further year on the same terms and conditions as the prior agreement. Through this agreement, the Province recovered approximately $1,143,000 from the Federal Government as its share toward the provision of criminal legal aid in Manitoba.

Financial Eligibility Guidelines

Traditionally the Society increases its financial eligibility guidelines at the beginning of the fiscal year. Such increases are usually tied into the cost of living increase for the Province. On April 1, 1981, the Society decided to defer adjusting its financial eligibility guidelines until the fall and therefore maintained the 1980 guidelines until October 1, 1981. As of that date, the guidelines were adjusted and were in effect until March 31, 1982. They were as follows:

Family Size	Allowable Gross Annual Income
1	$8,500
2	10,000
3	11,000
4	12,000
5	13,000
6	14,000
7	15,000

Tariff and Fees for Service

As of April 1, 1981, the Society introduced a new tariff of fees representing the first significant change in the tariff since its introduction in 1972. The new tariff maintained the basic structural thrust of an hourly rate up to maximums for preparation and block fees for certain attendances in court and other services. Some adjustments were made in the maximum allowances for preparation and some sections were reworded or combined. This resulted in a tariff that is fairly easy to understand and to administer.

The most significant change was an increase in the hourly rate from $25.00 an hour, which was introduced in 1972, to $35.00 an hour. With the introduction of the new tariff, the Society obtained over $400,000 of supplementary funding from the Province which represented the partial cost of introducing the new tariff in its first year. It is estimated that a full year's cost of introducing the tariff would be over $1,000,000. Even with the introduction of the new tariff, some members of the organized bar continued to express its concerns with regard to the hourly rate and the structure of the tariff, particularly as it related to domestic matters. Discussions have continued with a view toward further revision for the next budget year.

In the fiscal year ended March 31, 1982, there were approximately 750 lawyers registered on legal aid panels in the Province and of that number 439 received payment on account of billings submitted in the year. An analysis of the dollar categories of payment indicated that 8% of the lawyers who received payment, received 50% of the total monies disbursed to the private bar. The complete analysis is as follows:

Dollars	Number of Lawyers	Percentage	Total Disbursed	Percentage
0 - 1,000	158	36.0	$ 71,105	2.6
1,000 - 5,000	148	33.7	366,645	13.3
5,000 - 10,000	57	13.0	404,389	14.6
10,000 - 20,000	40	9.1	555,048	20.1
20,000 - 40,000	23	5.2	620,725	22.5
40,000 - 60,000	11	2.5	576,351	20.9
60,000 - 80,000	nil	nil	nil	nil
80,000 & over	2	.5	167,414	6.0
	439		$2,761,677	

Law Phone-In

The Law Society of Manitoba, the body responsible for running the Law Phone-In and Lawyer Referral Service petitioned the Society and the Government to increase its level of funding so that Legal Aid's contribution would always equal 50% of the cost of operating the service. For the year ended March 31, 1982, the Society's contribution to this service remained at $20,000 and discussions continued on the Law Society's submission for the next budget year.

Board of Directors

As of April 1, 1980, the Society's Board of Directors was composed of the following people:

Frank Allen, Q.C. (chairperson)
Lloyd Lenton (vice-chairperson)
Richard Scott, Q.C.
Ken Filkow, Q.C.
Mark Schulman
Rod Stephenson
Margaret Didenko
Orest Lazaruk
Barbara Hamilton
Randy McNicol
Chief James Thunder

The Board met on ten different occasions and as of March 1982, was replaced by a new board of directors consisting of the following people:

Norman Larsen (chairperson)
Naomi Levine (vice-chairperson)
Heather Leonoff
Robb Tonn
Joe Mullally
Diane Jones
Rose-marie Cuddy
Judy Cook Hannibal
Lena Pfund
Reverend Art Seaman
Chief Louis Stevenson

The new Board of Directors met for the first time on March 24, 1982.

During the year, these Boards considered 160 refusal appeals, which resulted in 31 people being granted legal aid certificates. As well, a total of 79 taxation appeals were considered of which 57 were granted some increase over the original taxation.

Provincial Legal Aid

Legal Aid Manitoba continued to participate with other Legal Aid plans in providing assistance in civil matters on a reciprocal basis. During the past year the number of requests from other provinces (with last year's numbers in brackets) were as follows:

British Columbia	—	17	(21)
Saskatchewan	—	15	(7)
Ontario	—	17	(12)
Alberta	—	10	(6)
Quebec	—	1	(2)
Nova Scotia	—	3	(2)

For a total of 63, as compared to 50 for the fiscal year ended March 31, 1981.

Requests made by Legal Aid Manitoba to other provincial plans (with last year's numbers in brackets) were as follows:

British Columbia	—	17	(14)
Saskatchewan	—	19	(12)
Ontario	—	41	(37)
Alberta	—	37	(27)
Quebec	—	2	(4)
Nova Scotia	—	2	(nil)
Newfoundland	—	nil	(1)

For a total of 118, compared to 95 for the year ended March 31, 1981.

The Society continued its membership in the Association of Legal Aid Plans of Canada and the National Legal Aid Research Centre. The annual meeting of the Association of Legal Aid Plans was held in St. John's, Newfoundland in August 1981. Legal Aid Manitoba was represented at the meeting and continued to have a representative on the Association's National Executive Committee. The Society also continued its financial support of the National Legal Aid Research Centre and contributed close to $4,000 as its share of the costs of operating the Centre.

Community Legal Services

The number of staff lawyers, students and para-legals in the seven Community Law Centres remained approximately the same in the year ending March 31, 1982. The amount of formal certificate work of the offices also remained approximately the same.

These centres continued to provide duty counsel services in over 50 rural and remote communities as well as at the Public Safety Building, the Court House at 373 Broadway Avenue and the Manitoba Youth Centre in Winnipeg. They also continued to provide drop-in advice at their offices and at the Society's Head Office, as well as to service institutions such as prisons and mental hospitals.

Staff sat on Boards of dozens of community organizations, examples of which are The Pas Friendship Centre, The Thompson Crisis Centre, Parents Without Partners (Dauphin), Manitoba Counsel of Rehabilitation Workshops, Native Brotherhood Advisory Committee and the Central Park Group. Community Law Centre staff also acted as resource and liaison people to dozens of other groups and organizations.

Lectures on legal topics were given to dozens of schools, senior citizen centres and other groups. Also in the public legal education area, staff prepared newspaper articles and radio and television shows on the law and Legal Aid.

One of the most dramatic developments over the last year has been the expansion of advice clinics in remote areas. New clinics were established or experimented with in Flin Flon, Easterville, Moose Lake, Grand Rapids, Koostetek, Fisher River, Peguis, Leaf Rapids, Nelson House, Wabowden, Gillam, Pikwitonei, Lynn Lake, Thicket Portage, Split Lake, Killarney and Boissevain. In Winnipeg, new advice clinics were established at the Indian and Metis Friendship Centre, St. Boniface Hospital and Norwest Co-op.

Staff of the Community Law Centres worked in a number of ways on some of the broader issues affecting low income people. Major test cases were taken in the areas of Juvenile Law, Welfare Law, Prison Law and Consumer Law.

Two committees were established to work with self-help groups. One dealt with system-wide welfare issues such as interim relief, records of appeals and prior information provided to the Appeal Board. The second was a Housing Committee to deal with rent controls, landlord and tenant and foreclosure problems.

Staff lawyers also addressed issues by presenting briefs to Legislative Committees studying legislation affecting low income people: Workers Compensation, Social Assistance and Rent Controls. Finally, a number of public interest cases were handled. These included representation of client groups before regulatory bodies such as the Public Utilities Board and the Canadian Transport Commission.

A Welfare Clinic was opened at the Ellen Street Community Law Centre to concentrate staff efforts in the welfare field. The Main Street Community Law Centre took over responsibility for the Immigration Clinic and the St. Boniface office assumed greater responsibility for supervising the University Law Centre which continued to provide service to low income people in many areas, including less serious criminal matters.

Summary

With the new government in power in Manitoba, with the new Board of Directors appointed to oversee the affairs of Legal Aid Manitoba and with ever increasing demands in providing service, the Society can look forward to some significant change in levels of service and the method of delivery over the next several years. Reviews will likely be undertaken with regard to the adequacy of the Society's financial eligibility guidelines, the method of delivery of legal aid services through community law centres, the adequacy of the tariff of fees and ways and means to improve service to residents of northern Manitoba and the Interlake.

The Society is extremely fortunate in having a hard working and dedicated staff and a cooperative and understanding private bar. We thank them all.

APPENDIX "A"

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Legal Aid Activity by Area

For the Year Ended March 31, 1982

(With the 1981 Comparisons in Parenthesis)

Area	Applications For Legal Aid Certificates	Applications Refused	Certificates Issued Civil	Certificates Issued Criminal	Certificates Cancelled	Persons Assisted by Duty Counsel
Winnipeg	13,623 (12,691)	3,371 (2,786)	4,112 (4,237)	6,140 (5,668)	1,027 (550)	11,773 (10,151)
Brandon	1,559 (1,452)	282 (191)	644 (657)	633 (604)	2 (44)	1,577 (1,589)
Dauphin	761 (718)	34 (42)	283 (254)	444 (422)	3 (19)	680 (865)
Selkirk	706 (596)	165 (156)	258 (229)	283 (211)	Nil (10)	259 (250)
The Pas & Thompson	853 (632)	120 (125)	408 (293)	325 (214)	2 (14)	1,896 (2,134)
Provincial Total	17,502 (16,089)	3,972 (3,300)	5,705 (5,670)	7,825 (7,119)	1,034 (637)	16,185 (14,989)

NOTES:

1. *In the fiscal year ended March 31, 1982 there was a total of* ***13,530 (12,789)*** *certificates issued, including certificates issued to Community Law Centres as follows:*

Ellen Street	*559*	*(653)*
Main Street	*699*	*(797)*
LaSem	*500*	*(560)*
Head Office	*49*	*(103)*
Westman	*252*	*(252)*
Parklands	*292*	*(324)*
The Pas & Thompson	*518*	*(302)*
	2,869	*(2,991)*

2. *In the fiscal year ended March 31, 1982 there was a total of* ***16,185 (14,989)*** *people assisted by Duty Counselling services; of this total* ***11,511*** *were assisted by staff lawyers through the following Community Law Centres:*

Winnipeg — Ellen Street	*3,014*	
— Main Street	*2,923*	
— LaSem	*2,427*	*8,364*
Westman		*1,103*
Parklands		*520*
The Pas & Thompson		*1,524*
		11,511

3. *For the fiscal year ending March 31, 1982, **22.7%** **(20.5%)** of the applicants for Legal Aid were refused.*

4. *For the year ending March 31, 1982 there was a total of 14,925 **(15,255)** telephone and drop-in inquiries broken down as follows:*

Winnipeg — Ellen Street	*2,368*	*(2,352)*
— Main Street	*3,489*	*(3,893)*
— LaSem	*1,869*	*(2,423)*
— University	*646*	*(614)*
Brandon	*2,691*	*(2,454)*
Dauphin	*2,409*	*(2,132)*
Selkirk	*16*	*(26)*
The Pas & Thompson	*1,437*	*(1,361)*
	14,925	*(15,255)*

*For the year ending March 31, 1982 there was a total of **43,606** **(42,396)** people assisted by all Centres, either on a formal or informal basis.*

*A total of **387,816** people have been assisted in the period September 1, 1972 to March 31, 1982.*

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Analysis of Certificates Issued
For the Year Ended March 31, 1982

(With 1981 Comparisons in Parenthesis)

Certificate Classification	Private Bar	Law Centres	Totals
Criminal			
Homicide and Death by Criminal Negligence	36 (42)	7 (4)	43 (46)
Attempted Homicide and Wounding	62 (67)	6 (6)	68 (73)
Rape and Other Sexual Offences	148 (156)	37 (45)	185 (201)
Possession of Offence Weapons	257 (227)	73 (51)	330 (278)
Assault	571 (478)	126 (139)	697 (617)
Contributing to Juvenile Delinquency	10 (9)	2 (3)	12 (12)
Robbery	320 (343)	29 (31)	349 (374)
Theft	1,221 (1,108)	174 (202)	1,395 (1,310)
Break and Enter	1,204 (971)	254 (236)	1,458 (1,207)
Possession of Stolen Property	264 (224)	28 (34)	292 (258)
Arson	38 (44)	8 (8)	46 (52)
Immigration	27 (30)	8 (9)	35 (39)
Fraud and False Pretenses	457 (429)	72 (74)	529 (503)
Narcotics	311 (273)	41 (23)	352 (296)
Motor Vehicle Offences	540 (640)	110 (143)	650 (783)
Breach of Probation and Escape Custody	418 (304)	51 (44)	469 (348)
Juvenile Transfers	181 (180)	32 (68)	213 (248)
Appeals — Crown	21 (16)	3 (5)	24 (21)
— Client	128 (94)	19 (21)	147 (115)

Certificate Classification	Private Bar	Law Centres	Totals
Parole	22 (nil)	4 (nil)	26 (nil)
Other	407 (269)	100 (69)	507 (338)
	6,643 (5,904)	1,184 (1,215)	7,827 (7,119)
Civil			
Divorce	879 (789)	370 (414)	1,249 (1,203)
Separation	1,554 (1,652)	481 (562)	2,035 (2,214)
Variation Applications	411 (416)	93 (124)	504 (540)
Custody	532 (434)	190 (178)	722 (612)
Adoption	30 (19)	52 (19)	82 (38)
Filiation	118 (134)	54 (57)	172 (191)
Immigration	36 (46)	23 (40)	59 (86)
U.I.C. & Worker's Compensation	13 (6)	21 (22)	34 (28)
Welfare Matters	24 (14)	57 (24)	81 (38)
Damage and Property Claims	134 (126)	119 (117)	253 (243)
Landlord and Tenant	9 (17)	7 (11)	16 (28)
Appeals	67 (80)	55 (59)	122 (139)
Other	198 (147)	143 (112)	341 (259)
Advice	13 (14)	20 (37)	33 (51)
	4,018 (3,894)	1,685 (1,776)	5,703 (5,670)

LEGAL AID SERVICES SOCIETY OF MANITOBA

Analysis of Completed Cases by Type of Aid

(Private Bar Only)

For the Year Ended March 31, 1982

(With 1981 Comparisons in Parenthesis)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Criminal			
Homicide and Death by Criminal Negligence	34 (61)	$ 81,551. (124,944.)	$ 2,398.55 (2,048.26)
Attempted Homicide and Wounding	73 (60)	49,434. (33,468.)	677.17 (557.80)
Rape and Other Sexual Offences	140 (177)	83,358. (85,437)	595.41 (482.69)
Possessions of Offensive Weapons	229 (286)	63,429. (67,470.)	276.98 (235.90)
Assault	484 (555)	149,032. (144,139.)	307.91 (259.70)
Contributing to Juvenile Delinquency	7 (16)	1,826. (3,810.)	260.85 (238.12)
Robbery	324 (426)	122,907. (150,172.)	379.34 (352.51)
Theft	1,066 (1,291)	258,035. (272,670.)	242.05 (211.20)
Break and Enter	1,018 (988)	272,136. (236,709.)	267.32 (239.58)
Possession of Stolen Property	236 (257)	60,552. (58,094.)	256.57 (226.04)
Arson	39 (46)	29,033. (16,837.)	744.43 (366.02)
Immigration	24 (37)	3,718. (9,860.)	154.91 (266.48)
Fraud and False Pretenses	381 (494)	98,304. (111,543.)	258.01 (225.79)
Narcotics — Indictable	189 (187)	70,175. (47,040.)	371.29 (251.55)
Narcotics — Non-Indictable	98 (90)	20,470. (15,866.)	208.87 176.28)
Motor Vehicle Offences — Federal Statutes	312 (439)	76,506. (89,037.)	245.21 (202.81)
— Provincial/Municipal Statutes	177 (324)	39,704. (66,512.)	224.31 (205.28)
Breach of Probation and Escape Custody	311 (388)	76,548. (73,502.)	246.13 (189.43)
Juvenile Transfers	183 (228)	61,023. (76,954.)	333.45 (337.51)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Appeals — Crown	20 (36)	6,581. (15,958.)	329.05 (443.27)
Appeals — Client	110 (92)	69,210. (57,166.)	629.18 (621.36)
Parole	11 Nil	3,119. Nil	283.54 Nil
Other	292 (312)	79,304. (62,597.)	271.58 (200.63.)
	5,758 (6,790)	1,775.955. (1,819,785.)	308.43 (268.00)
Civil			
Divorce	856 (1,094)	243,058. (310,633.)	283.94 (283.94)
Separation	1,660 (1,853)	361,418. (343,767.)	217.72 (185.51)
Variation Applications	406 (423)	96,884. (96,824.)	238.63 (228.89)
Custody	407 (524)	130,120. (146,957.)	319.70 (280.45)
Adoption	31 (31)	5,519. (6,142.)	178.03 (198.12)
Filiation	109 (127)	23,602. (21,608.)	216.53 (170.14)
Immigration	29 (58)	5,871. (14,502.)	202.44 (250.03)
Workmen's Compensation	7 (6)	1,585. (1,184.)	226.42 (197.33)
U.I.C.	4 (5)	605. (1,357.)	151.25 (271.40)
Welfare Matters	12 (21)	2,148. (3,142.)	179.00 (149.61)
Labour Matters	1 (6)	448. (740.)	448.00 (123.33)
Damage and Property Claims	151 (166)	61,512. (36,774.)	407.36 (221.53)
Bankruptcy	Nil (2)	Nil (145.)	Nil (72.50)
Appeals	47 (73)	30,134. (49,329.)	641.14 (675.73)
Other	108 (108)	28,971. (20,974.)	268.25 (194.20)
	3,828 (4,497)	991,875. (1,054,078.)	259.11 (234.39)
Legal Advice	37 (40)	3,567. (3,534.)	96.40 (88.35)
Total Completed Cases	9,623 (11,327)	2,771,397. (2,877,397.)	287.99 (254.02)

NOTE: *As at March 31, 1982 there were approximately* ***9,638*** *cases yet to be completed and paid.*

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Legal Aid Fees and Disbursements

(Private Bar Only)

For the Year Ended March 31, 1982

(With 1981 Comparisons in Parenthesis)

	Fees	Disbursements	Total	Completed Cases	Average Cost Per Case
Criminal					
Winnipeg	$1,412,404 (1,439,420)	$ 80,961 (90,511)	$1,493,365 (1,529,931)	4,702 (5,565)	$ 317.60 (274.92)
Brandon	105,075 (108,627)	5,051 (6,470)	110,126 (115,097)	451 (531)	244.18 (216.75)
Dauphin	75,221 (56,157)	3,102 (2,826)	78,323 (58,983)	281 (270)	278.72 (218.45)
Selkirk	54,476 (62,630)	3,696 (6,007)	58,172 (68,637)	219 (264)	265.62 (259.98)
The Pas & Thompson	33,975 (42,581)	1,995 (4,557)	35,970 (47,138)	105 (160)	342.57 (294.61)
Civil					
Winnipeg	656,772 (700,641)	110,862 (136,699)	767,634 (837,340)	2,870 (3,434)	267.46 (243.83)
Brandon	85,289 (91,196)	14,839 (19,894)	100,128 (111,090)	457 (544)	219.09 (204.20)
Dauphin	19,813 (17,352)	3,052 (2,392)	22,865 (19,744)	92 (106)	248.53 (186.26)
Selkirk	52,926 (43,434)	10,363 (11,159)	63,289 (54,593)	307 (248)	206.15 (220.13)
The Pas & Thompson	31,884 (26,825)	6,074 (4,485)	37,958 (31,310)	102 (165)	372.13 (189.75)
Advice					
Winnipeg	2,965 (3,193)	116 (172)	3,081 (3,365)	28 (38)	110.03 (88.55)
Other Areas	467 (169)	19 (Nil)	486 (169)	9 (2)	54.00 (84.50)
Total Completed Cases	$2,531,267 (2,592,225)	$ 240,130 (285,172)	$2,771,397 (2,877,397)	9,623 (11,327)	$ 287.99 (254.02)
Pre-Completion Disbursements	(NIL)	50,689 (37,008)	50,689 (37,008)		
	$2,531,267 (2,592,225)	$ 290,819 (322,180)	$2,822,086 (2,914,405)		

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Analysis of Completed Cases by Court

(Private Bar Only)

For the Year Ended March 31, 1982

(With 1981 Comparisons in Parenthesis)

Court	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Provincial and City Judges (Criminal Division)	4,292 (5,411)	$ 1,153,146 (1,252,106)	$ 268.67 (231.40)
Juvenile	679 (644)	198,855 (174,020)	292.86 (270.21)
Family	1,507 (1,718)	464,181 (446,412)	308.01 (259.84)
County	389 (450)	246,189 (240,933)	632.87 (535.40)
Queen's Bench	829 (1,080)	453,889 (469,621)	547.51 (434.83)
Surrogate	7 (7)	8,062 (2,405)	1,151.71 (343.57)
Court of Appeal	103 (122)	75,458 (83,397)	732.60 (683.58)
Supreme Court	8 (11)	14,606 (23,637)	1,825.75 (2,148.81)
Review Boards	65 (94)	15,526 (24,764)	238.86 (263.44)
Matters Not Resulting in Trial Proceedings	1,707 (1,750)	137,918 (156,568)	80.79 (89.46)
Legal Advice Only	37 (40)	3,567 (3,534)	96.40 (88.35)
Total Completed Cases	9,623 (11,327)	$ 2,771,397 (2,877,397)	$ 287.99 (254.02)

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Duty Counsel Fees and Disbursements

(Private Bar Only)

For the Year Ended March 31, 1982

(With 1981 Comparisons in Parenthesis)

	Persons Assisted	Total Fees and Disbursements	Average Cost Per Person Assisted
Winnipeg	2,192 (2,035)	$ 35,284 (31,879)	$ 16.09 (15.66)
Brandon	474 (533)	7,679 (6,898)	16.20 (12.94)
Selkirk	264 (254)	9,813 (5,941)	37.17 (23.38)
The Pas & Thompson	372 (333)	20,413 (19,013)	54.87 (57.09)
Dauphin	160 (Nil)	1,169 (Nil)	7.30 (Nil)
Total Payments	3,462 (3,155)	$ 74,358 (63,731)	$ 21.47 (20.20)

APPENDIX B

PROVINCE OF MANITOBA
PROVINCIAL AUDITOR

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

AUDITOR'S REPORT

I report that the financial statements of The Legal Aid Services Society of Manitoba have been examined under my direction for the fiscal year ended March 31, 1982. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as we considered necessary in the circumstances.

In our opinion, the financial statements, being Exhibits A and B and Schedules 1 and 2, present fairly the position of the Fund of The Legal Aid Services Society of Manitoba as at March 31, 1982, and the results of its operations for the year then ended in accordance with the accounting policies stated in Note 1, Exhibit A, applied on a basis consistent with that of the preceding year.

W.K. Ziprick, C.A.,
Provincial Auditor.

August 12, 1982,
Winnipeg, Manitoba.

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Fund
as at March 31, 1982
(with 1981 figures for comparison)

	1982	1981
Fund balance beginning of year	$ 6,010	$ 5,082
Excess of receipts over disbursements, Exhibit B	11,723	928
Fund balance end of year	$ 17,733	$ 6,010
Fund balance represented by:		
Cash on hand and in bank	$ 39,106	$ 40,651
Outstanding reimbursements from the Province of Manitoba (Note 1.a)	925	46,999
Cheques issued and outstanding	(22,298)	(81,640)
Fund balance end of year	$ 17,733	$ 6,010

1. **Significant Accounting Policies**

   a. The Society presents its financial statements on a cash basis, with the exception of accounting for grants from the Province of Manitoba. With respect to these grants, the Society takes into receipts amounts due from the Province for payments for private bar fees and disbursements made by the Society prior to March 31 of each year, when these are reimbursed by the Province out of funds voted for the year then ended. Additional information relating to the Society's operations concerning significant commitments, liabilities and receivables are presented below:

	March 31 1982	March 31 1981
Estimated total commitments for future billings on outstanding legal aid certificates	$ 2,285,000	$ 1,990,000
Approximate liability for legal aid certificate billings received but unpaid	$ 325,000	$ 75,000
Approximate liability for duty counsel billings received but unpaid	11,000	2,500
Approximate liability for unpaid general and administrative and Community Law Centre operating expenses	65,000	25,500
	$ 401,000	$ 103,000
Accounts receivable respecting contributions and judgments (without allowance for doubtful accounts)	$ 107,000	$ 103,000

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Fund
as at March 31, 1982

(with 1981 figures for comparison)

1. **Significant Accounting Policies:** (continued)

   b. In addition to agreements to pay, which are based on the client's ability to pay, contributions from clients also include a user fee of approximately $35.00 per certificate, except in cases where the client is receiving social assistance payments. As well, Area Directors have the discretion to waive the fee in cases of extreme hardship. This user fee is payable in advance and if it is collected by a private bar solicitor acting on behalf of the Society, it is recognized in the Society's records at the time of settlement of the private bar solicitor's billings. The policy of collecting a user fee has been abolished effective May 1, 1982.

   c. In accordance with Manitoba Regulations 106/72 and 112/81, the Board of the Society may order that a holdback respecting private bar fees be established. Acting under this authority, the Board established holdbacks of 15% in respect of legal aid certificates approved during the year ended March 31, 1979 and 10% during the year ended March 31, 1980. No holdbacks were applied to legal aid certificates approved during the years ended March 31, 1981 and March 31, 1982. The holdback is applicable regardless of when the billings for services are rendered. The holdback is payable only if funds are available at the end of the fiscal year in which the fee is actually paid. Holdbacks applied to billings paid during the fiscal year ended March 31, 1982 will not be paid by the Society because sufficient funds were not available.

2. **Subsequent Event:**

   The lawsuit filed against the Society by a former client and mentioned in the notes to last years financial statements was settled out of court, subsequent to the year end, with the Society agreeing to pay the claimant $15,000.

EXHIBIT B

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Receipts and Disbursements for the year ended March 31, 1982

(with 1981 figures for comparison)

	1982	1981
Receipts:		
Province of Manitoba — grants (Note 1.a)	$ 3,380,941	$ 3,321,164
— salaries and other payments	1,673,539	1,423,866
Contributions from clients (Note 1.b)	133,095	124,419
Judgment costs and settlements	24,757	20,881
Other	185	6,998
Total receipts	5,212,517	4,897,328
Disbursements:		
Private bar fees and disbursements:		
Legal aid certificates	2,784,815	2,876,431
Less: certificate holdbacks (Note 1.c)	26,751	159,159
	2,758,064	2,717,272
Duty counsel services	89,691	74,891
	2,847,755	2,792,163
Community Law Centres, Schedule 1	1,654,416	1,462,262
General and administrative, Schedule 2	683,435	626,969
Contribution to Law Society — Law Phone-In Program	15,188	15,006
Total disbursements	5,200,794	4,896,400
Excess of receipts over disbursements, Exhibit A	$ 11,723	$ 928

SCHEDULE 1

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Community Law Centres
Schedule of Operating Expenses
for the year ended March 31, 1982

(with 1981 figures for comparison)

	1982	1981
Advertising and information	$ 330	$ 145
Advisory committee fees and expenses	1,870	2,519
Certificate disbursements	87,581	77,296
Duplicating services and supplies	19,813	19,065
Fly-in duty counsel program — travel	33,479	24,620
Furniture, equipment and leasehold improvements — net of disposals	3,360	4,720
Library	19,417	20,757
Maintenance	12,652	14,486
Meetings and seminars	7,956	5,134
Office and postage	49,754	45,808
Professional fees	—	600
Rent	80,468	78,834
Salaries and benefits — professional	990,226	849,062
— clerical	241,936	212,437
Staff recruitment	880	—
Stationery and forms	2,501	1,568
Sundry	629	1,648
Telephone	42,758	44,671
Travel	47,706	44,036
Utilities	11,100	14,856
Total, Exhibit B	$ 1,654,416	$ 1,462,262

SCHEDULE 2

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Schedule of General and Administrative Expenses for the year ended March 31, 1982

(with 1981 figures for comparison)

	1982	1981
Advertising and information	$ 1,600	$ 1,478
Collections	1,698	3,885
Data processing	2,004	2,891
Directors' fees and expenses	8,344	16,452
Duplicating services and supplies	5,825	5,511
Furniture, equipment and leasehold improvements — net of disposals	4,239	13,655
Library	6,953	3,611
Maintenance	1,791	1,497
Meetings and seminars	3,267	3,939
Office and postage	36,925	38,449
Professional fees	18,389	14,865
Rent	46,881	46,877
Salaries, honoraria and benefits	506,608	433,934
Staff recruitment	575	787
Stationery and forms	13,523	10,018
Sundry	368	7,494
Telephone	12,189	13,174
Travel	10,034	6,406
Utilities	2,222	2,046
Total, Exhibit B	$ 683,435	$ 626,969